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EXAMINER	
RIES, LAURIE ANNE	

ART UNIT	PAPER NUMBER
2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 09/848,828	**Applicant(s)** JAMES ET AL.	
	Examiner Laurie Ries	**Art Unit** 2176	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 March 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: *New issues included*. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

Claim Rejections - 35 USC § 102
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 15, 21, and 23-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Lewis (U.S. Publication 2002/0111924 A1).
As per claim 1, Lewis discloses a method for efficient processing of a document encoded in a markup language including communicating a data model representing the document through a bus of a printed circuit board (See Lewis, Figure 4, and Page 2, paragraph 0023) from a special purpose processor configured for processing the encoded document (See Lewis, Figure 3, element 56, and Page 8, paragraph 0110) to a general purpose processor that is configured for further processing of the encoded document as processed by the special purpose processor (See Lewis, Page 8, paragraph 0112).
As per claim 3, Lewis discloses the limitations of claim 1 as described above. Lewis also discloses that the data model represents a document encoded in XML (See Lewis, Page 4, paragraph 0059).
As per claim 15, Lewis discloses a method for efficient processing of a document encoded in a markup language including a memory (See Lewis, Page 8, paragraph 0226), a general purpose processor operatively connected to the memory for executing computer readable code stored in the memory, the computer readable code configuring the general purpose processor to perform processing distinct from certain processing of documents encoded in the markup language, such as providing centralized collection of monitoring data, compiling inventory and transaction history records, and receiving and distributing reconfiguration data (See Lewis, Page 8, paragraph 0112), and a special purpose processor operatively connected to the memory, the special purpose processor being specially configured for certain processing of documents encoded in the markup language (See Lewis, Page 8, paragraphs 0108 and 0110), and where the special purpose processor is a dedicated processor (See Lewis, Page 8, paragraph 0110).
As per claim 21, Lewis discloses the limitations of claim 15 as described above. Lewis also discloses that the special purpose processor includes a supplemental general purpose processor for executing computer readable code for processing the document (See Lewis, Page 8, paragraph 0108).
As per claim 23, Lewis discloses the limitations of claim 21 as described above. Lewis also discloses a telecommunications deivce operatively connected to the general purpose processor and capable of communicating via a communications network (See Lewis, Page 6, paragraph 0082), and a first program stored in memory and executable by the general purpose processor for controlling the special purpose processor to process the document, and for communicating the document, as processed, to a target (See Lewis, Figure 3, element 52).
As per claim 24, Lewis discloses the limitations of claim 23 as described above. Lewis also discloses a second program stored in memory and executable by the general purpose processor for recognizing the document as encoded in the markup language and responsively controlling the special purpose processor to process the document (See Lewis, Figure 3, element 28).
As per claim 25, Lewis discloses a printed circuit board including a general purpose processor for executing computer readable code stored in a memory (See Lewis, Page 8, paragraph 0112), and a special purpose processor operably connected to the general purpose processor being configured for processing documents encoded in a markup language (See Lewis, Page 8, paragraphs 0108 and 0110).
As per claim 26, Lewis discloses the limitations of claim 25 as described above. Lewis also discloses that the special purpose processor includes a dedicated integrated circuit that is specially configured for processing the document (See Lewis, Page 8, paragraph 0110).
As per claim 27, Lewis discloses the limitations of claim 26 as described above. Lewis also discloses that the processing includes transforming the document (See Lewis, Page 10, paragraph 0145).
As per claim 28, Lewis discloses the limitations of claim 25 as described above. Lewis also discloses that the special purpose processor includes a supplemental general purpose processor (See Lewis, Page 8, paragraph 0108).
As per claim 29, Lewis discloses the limitations of claim 28 as described above. Lewis also discloses a memory operably connected to the supplemental general purpose processor (See Lewis, Page 8, paragraph 0116) and computer readable code stored in the memory and executable by the supplemental general purpose processor for processing the document (See Lewis, Figure 3, element 28).

Claim Rejections - 35 USC § 103
The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 4, 6, 11-14, 16-20, 22, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (U.S. Publication 2002/0111924 A1) in view of the Microsoft Computer Dictionary, Fifth Edition.
As per claim 2, Lewis discloses the limitations of claim 1 as described above. Lewis also discloses that the method described can be used with XML-based vocabularies (See Lewis, Page 11, paragraph 0154). XML is defined as a condensed form of SGML that lets Web developers and designers create customized tags that offer greater flexibility in organizing and presenting information than is possible with the older HTML document coding system (See Microsoft Computer Dictionary, Fifth Edition, Page 578, definition of XML). Applicant states that mXML is an XML notation (See Instant Application, Page 5, lines 10-12). It would have been obvious to a person of ordinary skill in the art to include mXML, which is an XML notation, in the definition of an XML vocabulary, included as a form of SGML as defined above. Therefore, it would have been obvious to apply the definition of XML to mXML to obtain the invention as specified in claim 2.
As per claim 4, Lewis discloses a method for efficient processing of a document encoded in a markup language including receiving a

document intended for delivery to a target (See Lewis, page 5, paragraph 0062, lines 7-8), processing the document using a special purpose processor dedicated to processing documents encoded in the markup language (See Lewis Figure 3, element 56, and Page 8, paragraphs 0108 and 0110), and passing the processed document to the target for further processing by a general purpose processor (See Lewis, Page 8, paragraph 0112). Lewis shows in Figure 3, the separation between a dedicated XML processor and a general XML processor (See Lewis, Figure 3, elements 56 and 30). Lewis does not disclose expressly including in the general purpose processor a microprocessor that is separate from the special purpose processor. A microprocessor is defined as a central processing unit on a single chip that, when included with memory and power, defines a computer (See Microsoft Computer Dictionary, Fifth Edition, Page 338, definition of Microprocessor). Since Lewis shows the dedicated XML processor to be physically separate from the general XML processor, it would have been obvious to one of ordinary skill in the art to conclude that the a microprocessor, as defined above, would be included with the general processor, separate from the special purpose processor. Therefore, it would have been obvious to apply the definition of microprocessor to the general purpose processor including a microprocessor to obtain the invention as specified in claim 4.
As per claim 6, Lewis discloses the limitations of claim 4 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses performing a transformation on the document (See Lewis, Page 10, paragraph 0145).
As per claim 11, Lewis discloses the limitations of claim 4 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses communicating the document, as processed, to an application process through a bus of a printed circuit board (See Lewis, Page 2, paragraph 0023, and Figure 4).
As per claim 12, Lewis discloses the limitations of claim 4 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses communicating the document, as processed, to a target via a communications network (See Lewis, Abstract).
As per claim 13, Lewis discloses the limitations of claim 4 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses that the target is a local application process (See Lewis, Abstract).
As per claim 14, Lewis discloses the limitations of claim 4 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses that the target is a remote device (See Lewis, Abstract).
Claim 16 is rejected on the same basis as claims 2 and 5.
As per claim 17, Lewis discloses the limitations of claim 15 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses that the method described can be used with XML-based vocabularies (See Lewis, Page 11, paragraph 0154). XML is defined as a condensed form of SGML that lets Web developers and designers create customized tags that offer greater flexibility in organizing and presenting information than is possible with the older HTML document coding system (See Microsoft Computer Dictionary, Fifth Edition, Page 578, definition of XML). Applicant states that mXML is an XML notation (See Instant Application, Page 5, lines 10-12). It would have been obvious to a person of ordinary skill in the art to include mXML, which is an XML notation, in the definition of an XML vocabulary, included as a form of SGML as defined above. Therefore, it would have been obvious to apply the definition of XML to mXML to obtain the invention as specified in claim 17.
As per claim 18, Lewis discloses the limitations of claim 15 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses that the special purpose processor includes a dedicated integrated circuit that is specially configured for processing the document (See Lewis, Page 8, paragraph 0110).
As per claim 19, Lewis discloses the limitations of claim 18 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses a telecommunications device operatively connected to the general purpose processor and capable of communicating via a communications network (See Lewis, Page 6, paragraph 0082) and a first program stored in the memory and executable by the general purpose processor for controlling the special purpose processor to process the document, and for communicating the document, as processed, to a target (See Lewis, Figure 3, element 52).
As per claim 20, Lewis discloses the limitations of claim 19 above, with reference to the definition disclosed in the Microsoft Computer Dictionary, Fifth Edition. Lewis also discloses a second program stored in the memory and executable by the general purpose processor for recognizing the document as encoded in the markup language and responsively controlling the special purpose processor to process the document (See Lewis, Figure 3, element 28).
As per claim 22, Lewis discloses the limitations of claim 15 above. Lewis also discloses that the method described can be used with XML-based vocabularies (See Lewis, Page 11, paragraph 0154). XML is defined as a condensed form of SGML that lets Web developers and designers create customized tags that offer greater flexibility in organizing and presenting information than is possible with the older HTML document coding system (See Microsoft Computer Dictionary, Fifth Edition, Page 578, definition of XML). Applicant states that mXML is an XML notation (See Instant Application, Page 5, lines 10-12). It would have been obvious to a person of ordinary skill in the art to include mXML, which is an XML notation, in the definition of an XML vocabulary, included as a form of SGML as defined above. Therefore, it would have been obvious to apply the definition of XML to mXML to obtain the invention as specified in claim 22.
As per claim 30, Lewis discloses the limitations of claim 1 above. Lewis also discloses using a special purpose processor dedicated to processing documents encoded in the markup language (See Lewis Figure 3, element 56, and Page 8, paragraphs 0108 and 0110), and a general purpose processor (See Lewis, Page 8, paragraph 0112). Lewis shows in Figure 3, the separation between a dedicated XML processor and a general XML processor (See Lewis, Figure 3, elements 56 and 30). Lewis does not disclose expressly including in the special purpose processor a first microprocessor and in the general purpose processor a second microprocessor separate from the first microprocessor. A microprocessor is defined as a central processing unit on a single chip that, when included with memory and power, defines a computer (See Microsoft Computer Dictionary, Fifth Edition, Page 338, definition of Microprocessor). Since Lewis shows the dedicated XML processor to be physically separate from the general XML processor, it would have been obvious to one of ordinary skill in the art to conclude that the a microprocessor, as defined above, would be included with the general processor, separate from the special purpose processor, which would also include a microprocessor. Therefore, it would have been obvious to apply the definition of microprocessor to the general purpose processor including a microprocessor and to the special purpose processor including a separate microprocessor to obtain the invention as specified in claim 30.

Claims 5 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (U.S. Publication 2002/0111924 A1) in view of the Microsoft Computer Dictionary, Fifth Edition as applied to claim 4 above, and further in view of Hsu (U.S. Publication 2002/0083096 A1).
As per claims 5, 9, and 10, Lewis, with reference to the Microsoft Computer Dictionary, Fifth Edition, discloses the limitations of claim 4 as described above. Lewis does not disclose expressly parsing the document. Hsu discloses parsing a document (See Hsu, Page 2,

paragraph 0021). Lewis and Hsu are analogous art because they are from the same field of endeavor of delivering structured documents over a network. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the parsing of the document of Hsu with the method of Lewis. The motivation for doing so would have been to determine the content structure of a document (See Hsu, Page 2, paragraph 0021). Therefore, it would have been obvious to combine Hsu with Lewis for the benefit of determining the content structure of the document to obtain the invention as specified in claims 5, 9 and 10.

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (U.S. Publication 2002/0111924 A1) in view of the Microsoft Computer Dictionary, Fifth Edition as applied to claim 4 above, and further in view of Kunitake (U.S. Publication 2001/0018697 A1).

As per claim 7, Lewis, with reference to the Microsoft Computer Dictionary, Fifth Edition, discloses the limitations of claim 4 as described above. Lewis does not disclose expressly creating an array-based model of the document. Kunitake discloses creating an array-based model of a document (See Kunitake, Page 14, paragraph 0344). Lewis and Kunitake are analogous art because they are from the same field of endeavor of delivering structured documents over a network. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the array-based model of a document of Kunitake with the system and method of Lewis. The motivation for doing so would have been to identify the child nodes specifying document parts in order to define the document structure (See Kunitake, Page 11, paragraph 0264). Therefore, it would have been obvious to combine Kunitake with Lewis for the benefit of identifying the child nodes specifying document parts to obtain the invention as specified in claim 7.

As per claim 8, Lewis, with reference to the Microsoft Computer Dictionary, Fifth Edition, discloses the limitations of claim 4 as described above. Lewis does not disclose expressly creating a tree-based model of the document. Kunitake discloses creating a tree-based model of a document (See Kunitake, Page 1, paragraph 0002). Lewis and Kunitake are analogous art because they are from the same field of endeavor of delivering structured documents over a network. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the array-based model of a document of Kunitake with the system and method of Lewis. The motivation for doing so would have been to identify the child nodes specifying document parts in order to define the document structure (See Kunitake, Page 11, paragraph 0264). Therefore, it would have been obvious to combine Kunitake with Lewis for the benefit of identifying the child nodes specifying document parts to obtain the invention as specified in claim 8.